

We have an obligation to the American people to lessen our dependence, to make that ditch shorter and not nearly as deep.

#### RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

#### ENERGY

Mr. McCONNELL. Mr. President, with regard to the Energy bill the majority leader was speaking to, we have a pretty good sense on this side what important amendments will need to be disposed of. We hope to move forward on those amendments early in the process. Provided we are given fair treatment on getting up our amendments and voted on, I certainly agree with the majority leader this is an important issue, an issue that needs to be disposed of in the very near future. We will be working with him to get that bill to conclusion at the earliest possible time.

I yield the floor.

#### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

#### MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for not to exceed 60 minutes, equally divided between the two leaders or their designees, with the first half of the time under the control of the Republicans, the second half of the time under the control of the majority, and with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Texas is recognized.

#### ENERGY

Mr. CORNYN. Mr. President, a story in today's Los Angeles Times states that the approval rating of Congress is the lowest in a decade. The poll reported in today's Los Angeles Times says 27 percent of Americans approve of how Congress is doing its job, and most see business as usual. After Congress has diverted its attention from what I consider to be the most important domestic issue confronting the Nation today; that is, fixing our broken borders and actually enforcing our immigration laws, in order to have a vote of no confidence on the Attorney General in what is clearly a political exercise rather than anything that would produce a meaningful result, we now turn our attention to an important issue and one I hope Congress will

embrace in order to address energy concerns in this country.

Of course, we all know—all we have to do is to drive up to fill up our gas tank—the price of gasoline has gone through the roof. While it is true that Congress can pass laws and Congress can even repeal laws that have been passed by previous Congresses, what Congress cannot do is repeal the laws of supply and demand.

It is important as we look at this legislation before us that we look at whether this legislation is, in fact, designed to fix problems. One of the questions I suggest we need to look to is, Does this bill increase supply? In a global economy we know there is going to be more and more competition for oil and gasoline. We know we are competing, not only in the United States, but literally with China and India, each of which have 1 billion people. Their economies are growing, and the number of people driving and their economic activity is directly related to access to a reasonably priced energy supply. We need to look to see what we are doing at home to try to increase supply.

We all know we are dangerously reliant on imported oil from dangerous parts of the world or from places such as Venezuela, governed by the likes of Hugo Chavez. Current energy policy in this country does nothing but make our enemies richer. It does nothing but line the pockets of people like Hugo Chavez or somebody like President Ahmadinejad in Iran—countries pursuing weapons of mass destruction.

We have to eliminate the schizophrenia that has characterized our energy policy in the past and look at what commonsense steps Congress can take in order to improve the supply of oil and gas, preferably from our own domestic sources at home, so we are less reliant on these dangerous rulers in other parts of the world for the very lifeblood of our economy.

By any measure, the bill that is now before us is an incomplete bill. It deals nearly exclusively with the demand side of the energy equation. While it is worthwhile to aggressively pursue better efficiencies and alternative sources of energy to meet our future energy needs, the provisions in this bill fail to address much of our current energy needs. It is a matter of simple economics. This bill will do nothing to deal with our current energy needs without addressing supply.

I fear this bill will also end up being even more expensive for consumers. Both the provisions in the bill and some of the expected amendments from the majority set up unreasonable mandates for renewable and alternative energy sources, which are more expensive. I do not question our need to produce more of our energy from clean and renewable sources, but I believe the winners and losers should be determined by the market, not by the Government. Indeed, this bill determines for Americans which fuels we will use,

how much, and at what time. That is the last thing we need the Federal Government to dictate—to determine which fuels we will use, how much, and at what time—when public confidence in Congress under this new majority is at a 10-year low. The last thing we need to do is say: Give us the power to determine what fuels you will use, how much, and at what time.

I do believe there is great promise in renewable energy. I am proud that my State, Texas, continues its energy leadership. As a traditional oil and gas State, it now is the largest producer of wind energy in the country—2,749 megawatts as of last year. We are also the largest producer of biodiesel, an industry that has grown rapidly in just the last few years.

It is also unwise to turn away from proven and developing technologies to meet our Nation's clean air goals. For example, nuclear energy has the lowest impact on the environment, including land, air, water, and wildlife, of any energy source because it does not emit harmful gasses. It isolates its waste from the environment and requires less area to produce the same amount of electricity as other sources.

I wouldn't necessarily hold out other countries as a model for America when it comes to their energy policies, but I must say a country such as France that generates 80 percent of its electricity by nuclear power does represent a goal that I think the United States ought to strive for, particularly when nuclear power is cheap. It is conducive of a good environment, and it requires a lot less for us to produce in terms of cost and other collateral issues. I think this is one area where we clearly ought to be encouraging greater use of nuclear power, particularly when it comes to our electricity supply.

I want to say a word about coal. Coal should also continue to play an important role in our energy future. There are clean coal technologies being developed that could enable us to continue utilizing this abundant domestic resource and—this is important—improve air quality. Coal is also expected to remain one of the lowest cost fuels available.

I do believe with Federal investment in programs such as FutureGen, which is a \$1 billion investment in clean coal-burning technology, we can use this 300-year supply of coal in our country in a way that is compatible with a good environment and allows us to maintain the diversity of our energy sources which are essential to the growth of our economy, as well as our national security, from the standpoint of depending less and less on people who are trying to do us harm for the very energy we need.

It is ironic at a time that we are engaged in the global war on terror that many of the state sponsors of terrorism, many of those areas that are in unstable regions of the world, from the standpoint of the global war on terror, are the very ones being enriched by our

current energy policies, which puts a lot of our domestic resources here at home out of bounds and depends, as I say, too much on imported oil and gas.

It is important to note there are some differences between the approaches of those of us in this Chamber on how we achieve that sort of energy self-sufficiency in this country, which I believe ought to be our goal.

It is important that we, as I said a moment ago, increase supply and that we not inadvertently or otherwise create disincentives for those currently exploring and producing oil and gas. On this side of the aisle, we support increasing America's energy supplies while reducing consumption.

For example, the bill we passed in 2005, under Republican leadership, provided incentives for domestic exploration of potential new natural resource supplies and aided the production of affordable domestic energy. Now we are seeing the new majority threaten to overturn several of those successful provisions.

Then when it comes to trying to increase supply of gasoline in this country by enhancing capacity of refineries, we have seen those efforts blocked by our friends on the other side of the aisle in the last Congress. Now the majority leader will be offering a substitute amendment, we are told, based on S. 1419 to H.R. 6.

This amendment by the Democratic majority leader contains some positive provisions. But, unfortunately, it is promise that is being oversold. Very simply, the legislation produces no new energy and may actually end up raising prices, not lowering them. The Reid substitute, in my opinion, does not produce a viable energy policy for the United States.

As a matter of fact, many of the proposals we will hear from the other side of the aisle may actually increase energy prices. For example, we are likely to hear a proposal for a 15-percent renewable portfolio standard which ignores clean energy sources such as nuclear power.

This proposal would cost consumers billions of dollars because States simply would not be able to meet it. The majority leader's substitute amendment will also, it looks like, ignore the need for domestic energy supplies and ignores the problem of refining capacity, which experts say is a leading cause of high gas prices; again, simply a matter of supply and demand.

With the static supply not catching up to demand, you are going to see gas prices go up. That is what we have all experienced at the pump. This bill makes no effort to increase domestic production and reduce our reliance on foreign oil.

This bill also does not pay enough attention to clean alternatives, attempting to mandate energy production solely from renewable sources. While alternative and renewable energy has made a great start in reducing our foreign imports needed for energy, it will be

decades before we can produce enough alternative fuels to replace oil and other carbon fuels.

It is important we support efforts to increase the use of renewable and alternative fuels, but we should not be sold on unrealistic proposals that will suggest that somehow, in the short term, we are going to be able to replace our dependence on oil and gas, particularly in the transportation sector, where there is not any other viable alternative. It is unrealistic to think we can address our current dependence without producing as much of America's energy as we can here at home.

Overlooking sources of new clean energy demonstrates, once again, we are not paying enough attention to our domestic energy supply. Of course, gas prices are up to record levels, particularly since the new majority took over in November.

The Reid substitute does nothing to reduce them. We have seen gasoline prices increase almost 50 percent during the last 5 months. Now, when our friends on the other side of the aisle were put in control in last November's election, the price of gasoline was about \$2.20 a gallon. Today it averages \$3.15 a gallon. The proposals in this bill do nothing to reduce high gasoline prices. In fact, some of the amendments I am told that our friends on the other side of the aisle are considering would actually increase energy prices for the consumers.

Neither the Federal Trade Commission nor any State agency that has explored the issue has found any evidence that there has actually been price gouging. I am told there will be proposals to prohibit price gouging, which is already illegal I might add, but by new and vague standards which are impossible for anybody to determine whether their actions are covered, unless perhaps it is too late.

This is a diversion from the real energy problems. We all oppose price gouging. I know of no one who supports price gouging. But it is important we understand we need to find new ways to increase our domestic supply and particularly our refining capacities here at home. We see nothing but roadblocks thrown up every time we introduce proposals to try to encourage expansion of refinery capacity, which is the only way we are going to make more gasoline to keep up with the demand and hopefully keep prices down.

Now we will see alternatives offered during the course of this debate that will lead to increased domestic production of oil, streamlined refinery processes, and greater investment in research and development and clean vehicles. I think this is an important debate.

But we need to be careful about what we are doing again to make sure we do not oversell and underdeliver when it comes to energy policy, because, frankly, I think when it comes to the way the Congress has approached our energy needs, it has been more than a lit-

tle schizophrenic. The consequence, I think we can all see, is that gasoline prices are too high because refinery capacity is too low. We have actually increased the danger, in terms of our security, by continuing to rely too much on imported oil and gas from dangerous parts of the world, enriching our biggest enemies. At the same time, we have put out of bounds too much of our domestic reserves.

So I hope as this debate goes forward, we will have a full opportunity to debate amendments and offer constructive solutions to this problem. That is why I think our constituents sent us here. If we do that, then hopefully this poll I mentioned at the outset, reported in today's Los Angeles Times that reflects 27 percent of Americans approve of the way Congress is doing its job, hopefully those numbers will go up as we produce constructive solutions to the problems that confront the American people and we do the job we are sent here to do by our constituents.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Utah.

Mr. BENNETT. Mr. President, may I inquire how much time is available to me.

The ACTING PRESIDENT pro tempore. There is 13 minutes 40 seconds.

Mr. BENNETT. I listened with interest to the Senator from Texas. I wish to discuss basically the same thing, perhaps putting a slightly different twist on it. People look at the economics of energy and make this point. They say it costs something like a dollar a barrel to lift the oil in Saudi Arabia. That is the elevating price, a dollar, a dollar and a half, whatever. It doesn't sound like very much when oil is selling for something like \$60 a barrel.

They look at the difference between the lifting cost and what we are paying, and then they look at the difference between the cost for a barrel of oil and the cost of a gallon of gasoline and they say: Somebody is making an awful lot of money here, and there has to be something wrong. There has to be someone hiding in the weeds who is profiteering off us. If we can find that "someone" and stop him from doing the profiteering, then everything would be fine, we would have plenty of oil, we would have lower prices at the pump, everything would be fine. There is a conspiracy going on. There is somebody somewhere who needs to be discovered, exposed, and attacked, and then everything will be fine.

Well, unfortunately, the real world does not operate like that. In the real world, there are reasons, valid reasons, for prices to be where they are and for the situation to be as it is. The fundamental fact, with respect to retail prices, that people forget, if indeed they even know, is this: The retail price is not set on the basis of what it costs to put a gallon of gas into the pump that you go to when you fill up your tank; the retail price is set by

what it would cost to replace the gallon of gas once it is gone out of the tank and into your gas tank.

That means whoever is setting the price is concerned with uncertainties that are there in the marketplace that will determine the future replacement cost. If there is a geopolitical uncertainty, Iran, Iraq, unrest in Saudi Arabia, instability in Venezuela, whatever it might be, the marketplace will say: We have to have the uncertainty return, we have to have a premium on what it would cost to protect us against the uncertainty because it may well be that supply is suddenly disrupted around the world, and if we are going to have an additional gallon of gas in that service station tank in the future, we are going to have to pay for that uncertainty there, so we will charge an uncertainty premium now.

This is the working of the marketplace. As I have said often, and expect to say again, we cannot repeal the law of supply and demand. We think we can. In Congress we keep passing laws that say we are going to set prices here and there. But whenever we try, all we do is produce one of two results. When we try to repeal the law of supply and demand, when we try to interfere with market forces, we either create a shortage or a surplus.

When we set the price artificially too high in the market, we create a surplus, as everybody wants to get in on the very good price, people want to sell for the highest price. We did that in Congress with respect to silver. We wanted to have silver mined in the United States. So the United States said: We are going to pay so much for silver. It was above the price the market would pay. We opened up silver mines, the Government ended up with a huge surplus of silver piling up in warehouses because we set the price higher than the market would put it.

When we set the price too low, as we have done with gasoline, with oil windfall profits, set the price too low, then we get a shortage; nobody wants to produce for that low price. So we can tell ourselves how wonderful we are. We can say we have the power to set prices by legislation, but if we set them in the wrong places, if we go away from where the market is, the market either gives you a surplus of things we don't need or we create a shortage.

We saw the impact of the shortage during the Carter administration. We all remember the long lines, where we were lined up to get gasoline. There was a shortage. It was artificially created. When Ronald Reagan became President, he said: No, we are going to let the market work. The shortages all went away. The lines went away. Interestingly enough, the prices actually came down in many areas of energy as the market then responded to the reality of demand.

Our problem now is we do not have sufficient supply to bring the prices down. One of the reasons, as the Senator from Texas made clear, one of the

reasons is we do not have the refinery capacity we need. It is all very well and good to pump oil out of the ground, but the oil you purchase out of the ground cannot be put into your car. The oil pumped out of the ground has to be refined into gasoline. If it is not, it sits there accumulating until the refinery capacity can be brought on line.

We know that very well in Utah. We have a tremendous amount of production going on in eastern Utah now. As oil is available, it can come out of the ground. At the worldwide prices for oil now, even though it might be more expensive than \$1.50, with oil selling at \$60 a barrel, \$70 a barrel on the international market, there is money to be made. There is oil to be produced in eastern Utah, but it is sitting there. It is not ending up in anybody's gas tank. It is not helping bring down the price at the pump. What is the matter? We don't have the refinery capacity to refine that particular kind of oil. There are refineries in Salt Lake City. They are operating at 90 percent capacity plus. They are refining oil that comes from Canada, because that particular kind of oil is easier to refine than the oil coming out of eastern Utah. If we could build a refinery in eastern Utah—and the economics are there to justify it—we could bring down the price of gasoline at the pump, because all of that oil would be turned into gasoline.

So why aren't we building new refineries? The regulations that come from the Federal Government are restricting refineries. People who own refineries are doing everything they can to expand them. The refinery capacity is up fairly dramatically, but the number of new refineries has not gone up dramatically. We are pushing to have the limit our ability to refine oil in the refineries we now have.

We are still told the real reason prices are up is because there is a conspiracy. There is price gouging going on. Last week the Washington Post commented on this issue about conspiracy and the people who are deliberately driving up the price of gasoline. If I may quote from the Washington Post editorial entitled "Myths About That \$3.18 Per Gallon":

Multiple investigations by the Federal Trade Commission since 2000 have come up, well, dry. Conspiracy theorists say this lack of evidence is proof that the regulators are in bed with the oil companies. But last year, California's Energy Commission undertook its own investigation of a May 2006 price increase—and found no smoking gun indicating market manipulation. Today's high prices are the result of a collision among consumers' increasing demand for gas, the shortage of oil-refining capacity and 50 states with different regulations that make it hard to trade gas across state lines.

That is the reality. It is a collision of increasing demand for gas, static oil refining capacity, and different State regulations. We should be dealing with that reality. Why aren't we? Back to the editorial:

So why protect consumers from this vapor-phantom? Politics. More than 80 percent

of Americans believe that high gas prices are the result of oil company shenanigans rather than market forces, according to the Opinion Research Corp. So passing legislation against gouging is a bit of theater that allows the political class to avoid the hard work of getting Americans to use less gas.

We engage in political theater all the time around here—that is our business—but occasionally, I would hope we would recognize reality, we would understand the price of gasoline is set by market forces that look at what it will cost to replace that gasoline.

I will make a last point. There would be more certainty about what it would cost to replace that gasoline if President Clinton had not vetoed legislation opening ANWR, making that oil available to us for our domestic supply. One of the things that was said at the time was, that is so far away in the future, that is 10 years away.

Well, it has been more than 10 years since he vetoed that bill. If he had not, we would now have the supply coming down from Alaska, saying we can mitigate the geopolitical uncertainties of oil in foreign countries by having this supply of millions of barrels available in the United States. The manufacturers of gasoline, refiners of gasoline, would say: We have a stable source of supply here within the United States. We need not charge as high an uncertainty premium as we might otherwise do.

There is no question it would have a significant impact on lowering gas prices, if only we had done it. The Congress did it. The President vetoed it. Now the leadership of Congress continues to oppose ANWR. One of the arguments is: That is more than 10 years away.

We did it more than 10 years ago. We need to do it now for the advantage of people 10 years ahead.

This is not to denigrate the good things in the Energy bill before us. This is not to say conservation is not important. This is not to say alternative sources of energy are not important. But this is to say we need to look at the whole picture and recognize we cannot conserve our way into a solution. Just because conservation is a good idea doesn't mean increasing the source of supply is a bad one.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to speak about the energy legislation that will be the topic of the Senate this week. It is critically important. I congratulate the cochairs of the Energy Committee, particularly Senators BINGAMAN and DOMENICI, for the work they have done, along with other committees, including Commerce and the Environment Committee on which I am privileged to serve.

We are dealing with a critical national crisis. In some ways, if we can adopt bipartisan, strong energy security legislation, we will have dealt with the most serious challenge facing our country. Because in dealing with our

dependence on foreign sources of oil and reducing that dependence, we can make our economy more secure, protect American consumers from the painful price spikes in the cost of gasoline and home heating oil and other fuels they have become accustomed to, and that not only drain individual budgets but hurt our national economic growth potential and reality.

Second, we will make our Nation more secure. Because no matter how strong we are militarily or even economically, if we end up depending so much on foreign sources of oil, our independence can be compromised. We cannot tolerate that.

Here is the reality. Ninety-seven percent of transportation in the United States is fueled by oil we buy from a unified global oil market. Saudi Arabia holds 20 percent of the world's oil reserves. Iran has 10 percent, led by a man who today repeatedly says to crowds in Iran, imagine a world without America; 10 percent of the world's oil reserves are in Iran. Venezuela, led by a virulently anti-American president, holds 6 percent of the world's oil reserves; Russia has 4.5 percent; Libya, 3 percent; the United States today has 1.5 percent of the world's oil reserves. We cannot leave our national and economic security dependent, therefore, on a resource that lies largely in the hands of others, including other nations that are either volatile or undemocratic or aligned against the United States.

H.R. 6, which combines the work of three or four different committees, contains many significant provisions that would reduce our Nation's oil consumption. I truly commend the heads of these committees, the chairmen and ranking members, for bringing this legislation forward. This may be the only opportunity we have in the 110th Congress, certainly the only opportunity we will have in this first year of the 110th session, to confront our energy dependence and deal with it. Therefore, it is very important that we work hard to make this bill as strong as we possibly can and, of course, as bipartisan. Our constituents, our Nation just watched the Senate unfortunately grind itself into gridlock over the comprehensive immigration bill. Let's not turn that show into a double feature with stalemate over energy security legislation as well, certainly not as prices soar and American consumers sour.

I want to speak briefly in favor of a bipartisan consensus amendment I and others will introduce as part of this debate. I am speaking on behalf of a bipartisan and geographically diverse group of Senators led by Senators BAYH, BROWNBACK, SALAZAR, COLEMAN, and many others. We will offer an amendment to replace the gasoline savings goal of H.R. 6, the underlying legislation, with title I of our so-called DRIVE Act. DRIVE, in the strange world of acronyms, stands for Dependence Reduction Through Innovation in

Vehicles and Energy. This is the successor to an earlier version—which title didn't make a good acronym, but which title I loved—which was the Set America Free Act, because right now we are not free. We are dependent on others for our energy. The DRIVE Act's title I, which we will introduce as an amendment, would direct the executive branch of Government to identify within 9 months and to publish within 18 months Federal requirements that will achieve a 2.5 million barrel-per-day reduction in U.S. oil consumption by 2016, a 7 million barrel-per-day reduction by 2026, and a 10 million barrel-per-day reduction by 2031. That is about 50 percent of the per-day oil consumption of the United States today.

This amendment would also direct the Office of Management and Budget to publish an analysis identifying the oil savings projected to be achieved by each requirement to be created and demonstrating that the listed measures will, in the aggregate, achieve the overall specified oil savings.

Finally, the measure includes specific requirements for the executive branch to evaluate, review, and update the action plan so we can achieve these critical national goals.

The targets for savings in H.R. 6 are expressed in terms of American gasoline consumption. The amendment would express them in terms of what we think is a more relevant standard which is overall oil consumption, because reducing gasoline use can be achieved by increasing the use of diesel which, of course, is also made from oil. So oil consumption reduction is, in our opinion, the more appropriate goal for this law, and that is why we are going to introduce this as an amendment to H.R. 6. The gasoline savings goal in H.R. 6 amounts to about a 20-percent reduction in projected oil consumption by 2030, 23 years from now. The oil savings requirement in our amendment amounts to a 35-percent reduction in projected oil consumption in 2030. That is a significant increase in reduction and one we can achieve, if we set the goal as high as it should be, high enough to cut our dependence on foreign oil and free America from that dependence.

I believe there is broad bipartisan support in the Senate for these stronger targets. Indeed, the fuel economy and renewable fuels provisions already found elsewhere in H.R. 6 will themselves go a long way toward achieving the stronger targets. The DRIVE amendment's cosponsors believe that we need targets that will keep the pressure on the Executive branch to use the authorities Congress has provided to achieve robust oil savings.

The DRIVE Act has 26 cosponsors, including 6 Republicans. Thus, the language of our DRIVE amendment is bipartisan and consensus-based. I hope my colleagues will adopt it overwhelmingly.

I would like to explain my opposition to an amendment that I understand

will be offered, an amendment that—while intricately drafted—has the sole purpose of opening the Arctic Wildlife Refuge to oil drilling.

Most of my colleagues have been through enough Senate debates over this issue to know that it is highly controversial and deeply divisive. I believe that if an Arctic drilling amendment were added to this bill, it would prevent Senate passage of otherwise bipartisan legislation that could reshape—but not despoil—our energy landscape.

I myself filibustered the last bill to which an Arctic drilling provision was attached.

Let me just repeat a fact that I stated at the beginning of my remarks: The United States holds just 1.5 percent of the world's oil reserves. Oil is a global commodity—like wheat or corn, gold or copper—that essentially has a single world benchmark price.

That means we could drain every last drop of oil from U.S. territory, despoiling our last stretches of wilderness in the process, and U.S. production still would amount to no more than a trickle in the stream of global supply.

We would do irrevocable damage to our natural heritage without having an appreciable effect on the price that Americans pay for oil, and without reducing our crippling oil addiction by one iota.

It is time we face up to the fact that we cannot drill our way out of this problem. The only effective and permanent solution to high gas prices—the only effective and permanent solution to energy dependence—is to dramatically reduce our oil consumption. H.R. 6 takes an impressive step in that direction. The DRIVE amendment would lengthen that step to a stride. But adding an Arctic drilling provision would kill the entire enterprise, leaving us in the same, unacceptable situation we find ourselves in now. So I respectfully ask that my colleagues vote “yes” on the DRIVE amendment, and “no” on any measure that would open the treasured Arctic National Wildlife Refuge to drilling.

The American people are energized on this issue. Let's not let them look to the Senate and think they have hit a dry well of gridlock.

Mr. President, I note the presence of one of my colleagues on the floor who I know wants to speak during this half hour of morning business, so I will say, very briefly, we have an opportunity to do something right for the American people, if we can work across party lines—and none of this should be partisan—to get this done.

Again I note in that regard, with some regret, some of my colleagues have indicated an intention to once again introduce an amendment that would open the Arctic Wildlife Refuge to oil and drilling. Obviously, they have a right to do so. This has been debated often in the Senate. My only word of caution is I fear such an amendment, if it is attached to this

bill, may doom the overall bill; therefore, we would all lose as a result of it.

I say to my colleagues, we have a fresh opportunity here, a kind of fresh start. This institution is in need of a bipartisan agreement that solves some real problems, such as the cost of gasoline and home heating oil and other fuels the American people are facing. So it is not just that the institution would benefit in its credibility with a bipartisan agreement on this critical issue; the country needs us to show leadership on this issue. I am confident, as we begin this debate, we can rise to the opportunity.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wisconsin.

#### SOMALIA

Mr. FEINGOLD. Mr. President, later this week, Somalia's fragile Transitional Federal Government, also known as the TFG, is expected to convene a National Reconciliation Conference originally intended to negotiate genuine power-sharing arrangements, establish a credible political process, and prevent Somalia from descending back into chaos and lawlessness.

Unfortunately, this conference has been postponed again—for the third time. Equally disappointing is the failure of the TFG to take the critical steps needed to broaden its base and ensure genuine negotiations occur when, or if, the conference actually takes place.

I have been watching Somalia closely for quite some time and I am deeply concerned that the small window of opportunity we saw earlier this year is closing quickly—if it has not already closed. To date, the power struggle between the Ethiopian-backed TFG and various clan-based and extremist militias in Mogadishu runs parallel to a brutal crackdown by Ethiopian and Somali troops that led to enormous civilian deaths and displacement. The increasing prevalence of suicide bombings and other guerilla tactics is a serious setback for Somalis, and for our own national security interests on the Horn.

The United States should be encouraging and supporting efforts to facilitate a government in Somalia that is widely perceived—internally and externally—as legitimate. Unfortunately, this effort is complicated by the Administration's flawed and self-defeating approach to counterterrorism. By bringing long-term stability to Somalia, we can help root out global terrorists who thrive on instability and weak or failed governments. Pursuing individual terrorists is not a substitute for addressing the conditions that allow safe havens to persist.

There is no quick and easy answer to Somalia's problems. But there are a few things we can, and must, do better if Somalia is not to descend further into a bastion of instability with po-

tentially dire consequences for our national security and that country's future. We must redouble our efforts and work with international and regional communities—and in particular with the Ethiopians—to ensure this National Reconciliation Conference not only occurs, but that it brings together a broad range of actors to create a framework for a government that is capable and committed to overcoming divisive clan dynamics, protecting human rights, and isolating and eliminating elements of extremism.

The United States has been forthcoming with financial resources for this conference, as newly appointed Special Envoy to Somalia Ambassador John Yates recently reported. Indeed, we are supplying half of the conference's budget through the United Nations Development Program. These resources are significant, and while I encourage other donors to step up to the plate before it is too late, financial assistance is not the only deficit Somalia's political project faces.

Equally worrisome is the lack of consistent messages from the international community as to what this conference is expected to achieve. I am concerned that the focus on getting the conference up and running—while critical—has nonetheless sidelined the need for it to produce the blueprint—the blueprint—for rebuilding Somalia.

Along with appointing a new diplomat and providing substantial funds, this administration, as well as the broader international community, needs to set clear expectations for the TFG to make sure recent history in that country is not repeated.

It is important to note that these are only the latest efforts to cobble together a viable political path for Somalia. Over the past decade, there have been approximately 14 other similar initiatives, all of which have failed. If the fragile political space created by the TFG closes, we are going to be stuck back at square one with the same disastrous results we have been dealing with for more than 10 years.

The upcoming reconciliation conference is only one benchmark of steps forward for the TFG. It is critical that all Somali stakeholders are included and that they own the process, that international organizations are invited to observe and offer advice, and that an outcome document laying out a roadmap for a sustained and pervasive process is produced.

Even if this public event meets all these goals—which remains far from clear—to be truly successful, it must also set the stage for what will be needed down the road, including the restoration of infrastructure and institutions required in a functioning state, the provision of services and security to citizens, and the weaving of Somalia's complex social fabric into a viable civil society.

The road to peace and security in Somalia is long and riddled with obstacles, but we must not stray from the

goal. This most recent postponement illustrates the consequences of insufficient influence and inadequate policy coordination by the U.S. and the international community.

Accordingly, we must strive to produce a cohesive policy and effective action by clarifying our objectives, coordinating closely with our allies, and creating benchmarks with consequences. The United States and others—especially Ethiopia—must use whatever leverage they still possess to demand and work toward demonstrable progress towards a sustainable political solution for Somalia.

Mr. President, I certainly thank the Senator from Washington for her courtesy in letting me go first.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Washington.

#### ENERGY

Ms. CANTWELL. Mr. President, I come to the floor, like many of my colleagues today, to talk about the direction—I should say new direction—we need in our energy policy. I know the President of the United States is coming up to meet with my Republican colleagues for lunch today and to talk about both immigration and energy policy. I hope the President will emphasize how important it is we get an energy bill but certainly that we get an energy bill that sets a new direction in America.

Obviously, the history and strength of our Nation lies in our ability to continually invent new ways of doing things. We are great as a nation in doing that. Whether it is building the most reliable electricity grid in the world, laying down a massive Interstate System, or helping to create the Internet, our people have marched forward in new, breathtaking directions. These achievements have historically provided our Nation with immense prosperity and a quality of life we all cherish.

The problem is our basic energy and transportation system is 50 to 100 years old. Today, we are faced with two choices: whether we are going to continue to operate the energy system that is a relic of the past century or we are going to create a new roadmap for the future that will allow Americans to again be global energy leaders. It is that simple.

Some will say our energy and transportation system is working fine and we should leave it the way it is. We have a lot of special interests swirling around Washington, DC, right now hoping we do not make much progress. But I would say we do not have to look any further than the pocketbook of Americans to know we are feeling severe impacts on our economy and our environment, and that doing nothing is not an option.

We are selling out too much in saying we cannot make aggressive change. We are shelling out too much to fill up